

2008-09

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 79

WEDNESDAY, 25 FEBRUARY 2009

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

**2 CUSTOMS TARIFF PROPOSAL**

Mr Debus (Minister for Home Affairs) moved Customs Tariff Proposal No. 2 (2009).

Debate adjourned (Mr Pyne), and the resumption of the debate made an order of the day for the next sitting.

**3 BILL REFERRED TO MAIN COMMITTEE**

Mr Price (Chief Government Whip), by leave, moved—That the Tax Laws Amendment (2008 Measures No. 6) Bill 2008 be referred to the Main Committee for further consideration.

Question—put and passed.

**4 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF DOCUMENT—REFERENCE TO MAIN COMMITTEE**

Mr Dreyfus (Chair) presented the following documents:

Legal and Constitutional Affairs—Standing Committee—Whistleblower protection: A comprehensive scheme for the Commonwealth public sector—

Report, February 2009.

Evidence received by the committee.

Minutes of proceedings.

Report ordered to be made a Parliamentary Paper.

Mr Dreyfus and Mr Slipper, by leave, made statements in connection with the report.

Mr Dreyfus moved—That the House take note of the report.

In accordance with standing order 39, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

Mr Dreyfus, by leave, moved—That the order of the day be referred to the Main Committee for debate.

Question—put and passed.

**5 EXCISE TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

*Document*

Mr Macfarlane, by leave, presented the following document:

Putting youth in the picture—Youth education and awareness campaign—Information sheet by Adair Donaldson, Director, Province Promotions, 16 April 2008.

Debate continued.

Mr Marles addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Marles was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for a later hour this day.

## 6 QUESTIONS

Questions without notice being asked—

*Member directed to leave*

At 2.35 p.m. the Member for Kalgoorlie (Mr Haase) was directed, under standing order 94, to leave the Chamber for one hour for disorderly behaviour, and he accordingly left the Chamber.

Questions without notice continuing—

*Minister for Defence—Motion of censure*

Mr Turnbull (Leader of the Opposition), by leave, moved—That this House censures the Minister for Defence for:

- (1) his failure to protect the wages and conditions of Australia's elite fighting SAS soldiers who are in the frontline in the most dangerous part of the world, fighting for freedom against the Taliban, under our flag and wearing our uniform; and
- (2) in particular, the Minister's:
  - (a) failure to honour his guarantee to this House four months ago that these salary problems would be fixed;
  - (b) failure to ensure the families of serving SAS soldiers did not suffer hardship;
  - (c) failure to obtain full information about the nature and extent of the problem;
  - (d) failure to intervene to prevent retrospective action that has resulted in soldiers being hit with debts of tens of thousands of dollars and large salary cuts; and
  - (e) actions in undermining the authority of the leadership of Australia's armed forces.

Debate ensued.

Question—put.

The House divided (the Speaker, Mr Jenkins, in the Chair)—

AYES, 63

Mr Abbott	Mr Forrest	Mr Macfarlane	Mr Schultz
Mr Andrews	Mrs Gash	Ms Marino	Mr Scott
Fran Bailey	Mr Georgiou	Mrs Markus	Mr Secker
Mr Baldwin	Mr Haase	Mrs May	Mr Simpkins
Mr Billson	Mr Hartsuyker	Mrs Mirabella	Mr Slipper
Mrs B. K. Bishop	Mr A. G. Hawke	Mr Morrison	Mr A. D. H. Smith
Ms J. I. Bishop	Mr D. P. M. Hawker	Mrs Moylan	Mr Somlyay
Mr Briggs	Mr Hockey	Dr Nelson	Dr Southcott
Mr Broadbent	Mrs Hull*	Mr Neville	Dr Stone
Mr Chester	Mr Hunt	Mr Pearce	Mr Truss
Mr Ciobo	Mr Irons	Mr Pyne	Mr Tuckey
Mr Cobb	Dr Jensen	Mr Ramsey	Mr Turnbull
Mr Costello	Mr Johnson*	Mr Randall	Mrs Vale
Mr Coulton	Mr Keenan	Mr Robb	Dr Washer
Mr Dutton	Ms Ley	Mr Robert	Mr Wood
Mr Farmer	Mr Lindsay	Mr Ruddock	

## NOES, 82

Mr Adams	Mr Dreyfus	Dr Kelly	Mr Ripoll
Mr Albanese	Mrs Elliot	Mr Kerr	Ms Rishworth
Mr Bevis	Ms A. L. Ellis	Ms King	Ms Roxon
Mr Bidgood	Ms K. M. Ellis	Ms Livermore	Mr Rudd
Ms Bird	Dr Emerson	Mr McClelland	Ms Saffin
Mr Bowen	Mr L. D. T. Ferguson	Ms McKew	Mr Shorten
Mr Bradbury	Mr M. J. Ferguson	Ms Macklin	Mr Sidebottom
Ms A. E. Burke	Mr Fitzgibbon	Mr McMullan	Mr S. F. Smith
Mr A. S. Burke	Mr Garrett	Mr Marles	Mr Snowdon
Mr Butler	Mr Georganas	Mr Melham	Mr Sullivan
Mr Byrne	Ms George	Mr Murphy	Mr Swan
Ms Campbell	Mr Gibbons	Ms Neal	Mr Symon
Mr Champion	Ms Gillard	Mr Neumann	Mr Tanner
Mr Cheeseman	Mr Gray	Mr O'Connor	Mr C. R. Thomson
Mr Clare	Ms Grierson	Ms Owens	Mr K. J. Thomson
Ms Collins	Mr Griffin	Ms Parke	Mr Trevor
Mr Combet	Mr Hale	Mr Perrett	Mr Turnour
Mr Crean	Ms Hall*	Ms Plibersek	Ms Vamvakinou
Mr Danby	Mr Hayes*	Mr Price	Mr Zappia
Mrs D'Ath	Mrs Irwin	Mr Raguse	
Mr Debus	Ms Jackson	Ms Rea	

\* Tellers

And so it was negatived.

Questions without notice concluded.

**7 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following document:

Auditor-General—Audit report No. 23 of 2008–2009—Performance audit—Management of the Collins-class operations sustainment: Department of Defence.

Ordered to be made a Parliamentary Paper.

**8 DOCUMENT**

The following document was presented:

Innovation Australia—Report for 2007-08.

**9 PROPOSED DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—INFRASTRUCTURE**

The House was informed that Mr Robb had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to act decisively on its infrastructure commitments”.

The proposed discussion not having received the necessary support (the proposer not being present) the matter was not proceeded with.

**10 APPROPRIATION BILL (NO. 4) 2008-2009—REPORT FROM MAIN COMMITTEE**

The Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

On the motion of Ms McKew (Parliamentary Secretary for Early Childhood Education and Childcare), by leave, the bill was read a third time.

**11 APPROPRIATION BILL (NO. 3) 2008-2009—REPORT FROM MAIN COMMITTEE**

The Speaker reported that the bill had been fully considered by the Main Committee and agreed to without amendment, and presented a certified copy of the bill.

Bill agreed to.

Leave granted for third reading to be moved immediately.

Ms McKew (Parliamentary Secretary for Early Childhood Education and Childcare) moved—That the bill be now read a third time.

Debate ensued.

Question—put and passed—Mr Oakeshott dissenting—bill read a third time.

**12 TAX LAWS AMENDMENT (2008 MEASURES NO. 6) BILL 2008—REPORT FROM MAIN COMMITTEE**

The Deputy Speaker reported that the bill had been fully considered by the Main Committee, a Governor-General's message recommending an appropriation had been reported, and the bill had been agreed to with amendments (*see item No. 5, Minutes of Proceedings of the Main Committee*), and presented a certified copy of the bill together with a schedule of amendments.

Amendments made by the Main Committee agreed to.

Bill, as amended, agreed to.

On the motion of Ms McKew (Parliamentary Secretary for Early Childhood Education and Childcare), by leave, the bill was read a third time.

**13 ECONOMICS—STANDING COMMITTEE**

The House was informed that the Chief Opposition Whip had nominated Mr Briggs to be a member of the Standing Committee on Economics in place of Ms J. Bishop (Deputy Leader of the Opposition).

Ms McKew (Parliamentary Secretary for Early Childhood Education and Childcare), by leave, moved—That Ms J. Bishop be discharged from the Standing Committee on Economics and that, in her place, Mr Briggs be appointed a member of the committee.

Question—put and passed.

**14 MESSAGE FROM THE GOVERNOR-GENERAL—ASSENT TO BILL**

A message from Her Excellency the Governor-General was announced informing the House that Her Excellency, in the name of Her Majesty, had assented to the following bill:

24 February 2009—Message No. 155—Social Security Legislation Amendment (Employment Services Reform) 2009.

**15 EXCISE TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put.

The House divided (the Deputy Speaker, Mr Slipper, in the Chair)—

## AYES, 75

Mr Adams	Mr Dreyfus	Ms Jackson	Mr Raguse
Mr Albanese	Mrs Elliot	Mr Kerr	Ms Rea
Mr Bevis	Ms A. L. Ellis	Ms King	Mr Ripoll
Mr Bidgood	Ms K. M. Ellis	Ms Livermore	Ms Rishworth
Ms Bird	Dr Emerson	Ms McKew	Ms Roxon
Mr Bowen	Mr M. J. Ferguson	Ms Macklin	Ms Saffin
Mr Bradbury	Mr Fitzgibbon	Mr McMullan	Mr Sidebottom
Ms A. E. Burke	Mr Garrett	Mr Marles	Mr Snowdon
Mr A. S. Burke	Mr Georganas	Mr Melham	Mr Sullivan
Mr Butler	Ms George	Mr Murphy	Mr Swan
Ms Campbell	Mr Gibbons	Ms Neal	Mr Symon
Mr Champion	Ms Gillard	Mr Neumann	Mr Tanner
Mr Cheeseman	Mr Gray	Mr Oakeshott	Mr C. R. Thomson
Mr Clare	Ms Grierson	Mr O'Connor	Mr K. J. Thomson
Ms Collins	Mr Griffin	Ms Owens	Mr Trevor
Mr Crean	Mr Hale	Ms Parke	Mr Turnour
Mr Danby	Ms Hall*	Mr Perrett	Ms Vamvakinou
Mrs D'Ath	Mr Hayes*	Ms Plibersek	Mr Zappia
Mr Debus	Mrs Irwin	Mr Price	

## NOES, 64

Mr Abbott	Mr Forrest	Mr Lindsay	Mr Ruddock
Mr Andrews	Mrs Gash	Mr Macfarlane	Mr Schultz
Fran Bailey	Mr Georgiou	Ms Marino	Mr Scott
Mr Baldwin	Mr Haase	Mrs Markus	Mr Secker
Mr Billson	Mr Hartsuyker	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Mirabella	Mr A. D. H. Smith
Ms J. I. Bishop	Mr D. P. M. Hawker	Mr Morrison	Mr Somlyay
Mr Briggs	Mrs Hull*	Mrs Moylan	Dr Southcott
Mr Broadbent	Mr Hunt	Dr Nelson	Dr Stone
Mr Chester	Mr Irons	Mr Neville	Mr Truss
Mr Ciobo	Dr Jensen	Mr Pearce	Mr Tuckey
Mr Cobb	Mr Johnson*	Mr Pyne	Mr Turnbull
Mr Costello	Mr Katter	Mr Ramsey	Mrs Vale
Mr Coulton	Mr Keenan	Mr Randall	Dr Washer
Mr Dutton	Mr Laming	Mr Robb	Mr Windsor
Mr Farmer	Ms Ley	Mr Robert	Mr Wood

\* Tellers

And so it was resolved in the affirmative—bill read a second time.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Document*

Ms Roxon (Minister for Health and Ageing) presented a supplementary explanatory memorandum to the bill and to the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009.

Ms Roxon, by leave, moved Government amendments (1) to (4) together.

Debate continued.

*Member directed to leave*

At 7.15 p.m. the Member for Lyons (Mr Adams) was directed, under standing order 94, to leave the Chamber for one hour for continuing to interject after a warning had been given from the Chair, and he accordingly left the Chamber.

Question—That the amendments be agreed to—put and passed.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Ms Roxon, by leave, the bill was read a third time.

#### 16 CUSTOMS TARIFF AMENDMENT (2009 MEASURES NO. 1) BILL 2009

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Question—put.

The House divided (the Deputy Speaker, Mr Slipper, in the Chair)—

#### AYES, 76

Mr Albanese	Mr Dreyfus	Mr Kerr	Ms Rea
Mr Bevis	Mrs Elliot	Ms King	Mr Ripoll
Mr Bidgood	Ms A. L. Ellis	Ms Livermore	Ms Rishworth
Ms Bird	Ms K. M. Ellis	Mr McClelland	Ms Roxon
Mr Bowen	Dr Emerson	Ms McKew	Ms Saffin
Mr Bradbury	Mr M. J. Ferguson	Mr McMullan	Mr Shorten
Ms A. E. Burke	Mr Fitzgibbon	Mr Marles	Mr Sidebottom
Mr A. S. Burke	Mr Garrett	Mr Melham	Mr S. F. Smith
Mr Butler	Mr Georganas	Mr Murphy	Mr Snowdon
Mr Byrne	Ms George	Ms Neal	Mr Sullivan
Ms Campbell	Mr Gibbons	Mr Neumann	Mr Swan
Mr Champion	Mr Gray	Mr Oakeshott	Mr Symon
Mr Cheeseman	Ms Grierson	Mr O'Connor	Mr Tanner
Mr Clare	Mr Griffin	Ms Owens	Mr C. R. Thomson
Ms Collins	Mr Hale	Ms Parke	Mr K. J. Thomson
Mr Crean	Ms Hall*	Mr Perrett	Mr Trevor
Mr Danby	Mr Hayes*	Ms Plibersek	Mr Turnour
Mrs D'Ath	Mrs Irwin	Mr Price	Ms Vamvakinou
Mr Debus	Ms Jackson	Mr Raguse	Mr Zappia

#### NOES, 61

Mr Abbott	Mrs Gash	Mr Macfarlane	Mr Schultz
Mr Andrews	Mr Georgiou	Ms Marino	Mr Scott
Mr Baldwin	Mr Haase	Mrs Markus	Mr Secker
Mr Billson	Mr Hartsuyker	Mrs May	Mr Simpkins
Mrs B. K. Bishop	Mr A. G. Hawke	Mrs Mirabella	Mr A. D. H. Smith
Ms J. I. Bishop	Mr D. P. M. Hawker	Mr Morrison	Mr Somlyay
Mr Briggs	Mr Hockey	Mrs Moylan	Dr Southcott
Mr Broadbent	Mrs Hull*	Dr Nelson	Dr Stone
Mr Chester	Mr Hunt	Mr Neville	Mr Tuckey
Mr Ciobo	Mr Irons	Mr Pearce	Mrs Vale
Mr Cobb	Dr Jensen	Mr Pyne	Dr Washer
Mr Costello	Mr Johnson*	Mr Ramsey	Mr Windsor
Mr Coulton	Mr Keenan	Mr Randall	Mr Wood
Mr Dutton	Mr Laming	Mr Robb	
Mr Farmer	Ms Ley	Mr Robert	
Mr Forrest	Mr Lindsay	Mr Ruddock	

\* Tellers

And so it was resolved in the affirmative—bill read a second time.

*Consideration in detail*

Bill, by leave, taken as a whole.

On the motion of Ms Roxon (Minister for Health and Ageing), by leave, Government amendments (1) to (5) were made together.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Ms Roxon, by leave, the bill was read a third time.

**17 ADJOURNMENT**

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until 9 a.m. tomorrow.



**DOCUMENTS**

The following documents were deemed to have been presented on 25 February 2009:

Commonwealth Authorities and Companies Act—Notice under section 45—Commonwealth ceasing to be a member of NetAlert Limited.

Defence Act—Determination under section 58B—2009 No. 10.



**ATTENDANCE**

All Members attended (at some time during the sitting).



**I. C. HARRIS**  
Clerk of the House of Representatives

2008-09

**HOUSE OF REPRESENTATIVES**  
**SUPPLEMENT TO VOTES AND PROCEEDINGS**

No. 79

**MAIN COMMITTEE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY, 25 FEBRUARY 2009

---

---

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' CONSTITUENCY STATEMENTS**

Members' constituency statements were made.

3 **APPROPRIATION BILL (NO. 3) 2008-2009**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put and passed—bill read a second time.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

4 **APPROPRIATION BILL (NO. 4) 2008-2009**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Question—put and passed—bill read a second time.

Leave granted for the question on the report to be put immediately.

Question—That the bill be reported to the House without amendment—put and passed.

5 **TAX LAWS AMENDMENT (2008 MEASURES NO. 6) BILL 2008**

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put and passed—bill read a second time.

*Message from the Governor-General*

Message No. 154, 4 December 2008, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

*Consideration in detail*

Bill, by leave, taken as a whole.

*Document*

Mr Bowen (Assistant Treasurer) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Bowen, by leave, Government amendments (1) and (2) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

Ordered—That the bill be reported to the House with amendments.



**6 ADJOURNMENT**

On the motion of Mr Marles, the Main Committee adjourned at 1 p.m.

The Deputy Speaker fixed 9.30 a.m. tomorrow for the next meeting of the Main Committee.



**B. C. WRIGHT**  
Clerk of the Main Committee